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Re: Medley Farm NPL Site, Caffrey, South Carolina

The United States Environmental Protection Agency (EPA) has documented the release or threatened release of hazardous substances, pollutants, and contaminants at the above referenced site, and is considering spending public funds to control those releases. This action will be taken by EPA pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended by the Superfund Amendments and Reauthorization Act of 1986 (SARA), 42 U.S.C. 9601 et seq. (P.L. 99-499), unless EPA determines that such action will be done properly by a responsible party. EPA is by this letter notifying responsible parties of the opportunity to perform the response activities noted above.

Responsible parties under CERCLA include the current and former owners or operators, and persons who generated the hazardous substances or were involved in the transport, treatment, or disposal of them at the site. Under CERCLA, and other laws, responsible parties may be liable for all costs expended by the government to take necessary corrective action at the site, including planning, investigation, and cleanup of the site, and enforcement.

Investigations by EPA in June 1983 and by South Carolina Department of Health and Environmental Control in May 1983 documented the presence of various hazardous substances on site. These hazardous wastes were located in several ponds on site as well as in approximately 2,000 drums in various conditions of deterioration. As a result, EPA spent approximately \$600,000 in federal funds removing these hazardous substances and chemical wastes between June 1983 and July 1983.



Based on data received during our investigation of who disposed of hazardous substances at this site, EPA has determined that your company is a responsible party pursuant to Section 107(a) of CERCLA. Before the government undertakes further corrective action necessary at the site, EPA would like to know if you will voluntarily perform the work required to abate any releases or threatened releases of hazardous substances from the site.

The Medley Farm site was proposed for inclusion on the National Priorities List (NPL) in May of 1986. The Agency is charged to complete a scope of work and a Work Plan prior to the development and implementation of a Remedial Investigation and Feasibility Study (RI/FS) for every site on the NPL.

The Medley Farm site will be the subject of an RI/FS, as required by law, upon completion of the Work Plan. The responsible parties can develop the RI/FS providing they agree to the requirements set forth by the Agency.

The actions which you are being notified of and offered the opportunity to participate include:

1. Development of a Work Plan for RI/FS;
2. Conducting the RI/FS;
3. The design and implementation of the remedy approved and determined by EPA to be consistent with the National Contingency Plan; and
4. Any other measures which may be necessary to abate hazards posed by the site.

Under Section 107(a)(4)(A) and (B) of CERCLA, as amended, where the Agency uses public funds to effectuate the cleanup of a hazardous substance, a responsible party may be liable for all costs associated with the removal or remedial action and all other necessary costs incurred in cleaning up the site.

EPA would like to encourage good faith negotiations between you and the Agency and between you and other potentially responsible parties for the Medley Farm site. EPA will consider an offer by you alone or in conjunction with other potentially responsible parties to conduct the response actions described above provided that you agree to the

requirements set forth by EPA, as well as pay for EPA's oversight expenses. Pursuant to the authority of Section 122(a) of SARA, 42 U.S.C. §9622(a), the Agency has determined that a period of negotiation would facilitate an agreement with potentially responsible parties for taking response action at the site, and would expedite remedial action. EPA is furnishing with this letter the names and addresses of other known potentially responsible parties. Section 122(e) (2) of SARA states that EPA may not commence an RI/FS under Section 104(b) for 90 days after providing notice and information under Section 122(e). In addition, Section 122(e) provides that persons receiving such notice shall have 60 days from the date of receipt of that notice to make a proposal to EPA for undertaking or financing the action. The 90 day period cited above will begin to run as of the August 31, 1987 meeting referred to later in this letter.

You should notify EPA in writing within fifteen (15) calendar days of receipt of this letter whether you wish to participate in negotiations for undertaking or financing the RI/FS at the site.

Your letter should indicate the appropriate name, address, and telephone number for further contact with you and include a statement of the types and the extent of the activities you may be willing to undertake. Where you are already involved in discussions with EPA, state or local authorities or engaged in voluntary action, you should continue that activity and report the status of those discussions or that action in your letter. Please provide a copy of your letter to any other parties involved in those discussions.

Your reply to this letter should be directed to:

Mr. Kirk P. MacFarlane
Assistant Regional Counsel
U.S. Environmental Protection Agency
345 Courtland St., N.E.
Atlanta, Georgia 30365

Your failure to respond to this letter in the manner set forth above will constitute a refusal to participate in the abatement actions and will result in EPA's commencement of conducting response actions at the site.

EPA intends to hold a meeting for all parties receiving this letter to explain the nature of the site, the history of activities at the

site, and the response activities to be undertaken. The meeting is tentatively scheduled to be held during the week of August 31, 1987 at 1:00 p.m. at the following location:

United States Environmental Protection
Agency, Region IV
2nd Floor, Waste Management Division Conference Room
345 Courtland Street, N.E.
Atlanta, Georgia 30365

The actual date of the meeting will be established following the fifteen day response period and after the Agency identifies those potentially responsible parties willing to participate.

If you need further information, Kirk MacFarlane can be reached by telephone at (404)347-2641. Any technical questions should be directed to Jon Porpholm, Project Manager, at (404)347-2643.

Due to the nature of the problem at this site and the attendant legal ramifications, the Agency strongly encourages you to submit a written response within the time specified and to attend this meeting.

Sincerely yours,
/s/ Patrick M. Tobin

Patrick M. Tobin, Director
Waste Management Division

Enclosure

PORNHOLM/Richer:Disk #8:Doc #16:Draft a/o 7 Jul '87:Final a/o 16 Jul '87

4WD-ER
PORNHOLM

JKB
7/17/87

4-ORC
MacFARLANE

Mac
7/17

4WD-ER
HAMME

Hamme
7/17

4WD-ER
GREEN

RGS
7/17/87

4WD-ER
STONERRAKER

Stoneraker
7/22

4WD-ER
TORIN

File: *Proctery*
 Break: *11.7*
 Color: *Nat'l Starch*

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1. ☒ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery.

3. Article Addressed to: <i>National Starch & Chemical</i> <i>% Mr. Charles D. Fidodale, Jr.</i> <i>King & Spalding</i> <i>2500 Trust Co. Tower</i> <i>Atlanta, Ga 30303</i>	4. Article Number <i>P517 764 686</i>
5. Signature - Addressee <i>X</i>	Type of Service: <input type="checkbox"/> Registered <input type="checkbox"/> Insured <input type="checkbox"/> Certified <input type="checkbox"/> COD <input type="checkbox"/> Express Mail Always obtain signature of addressee or agent and DATE DELIVERED.
6. Signature - Agent <i>X</i> <i>[Signature]</i>	8. Addressee's Address (ONLY if requested and fee paid)
7. Date of Delivery <i>7-28-81</i>	

PS Form 3811, Feb. 1986

DOMESTIC RETURN RECEIPT

ENVIRONMENTAL PROTECTION AGENCY
 REGION IV
 345 COURTLAND ST. N.E.
 ATLANTA, GEORGIA 30365

P-517 764 686

National Starch & Chemical
% Mr. Charles Fidodale
King & Spalding
2500 Trust Co. Tower
Atlanta, Ga 30303

JUL 24 1987